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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

MANUEL RAFAEL

Defendant.

No. CR 05-0352-DLI

**STIPULATION AND [PROPOSED]
ORDER TO PERMIT TRAVEL OUT
OF DISTRICT**

17 Defendant Manuel Rafael has been sentenced and is scheduled to surrender to the Bureau of
18 Prisons on March 13, 2006, for service of his sentence. In the meantime, he remains under
19 pretrial supervision in the Northern District of California. As a condition of his release, Mr.
20 Rafael's travel is restricted to the Northern District of California.

On March 5th, 6th & 7th, 2006, Mr. Rafael's family plans to spend three days at Lake Tahoe, Nevada. Mr. Rafael wishes to go with his family for this out-of-district travel. The Pretrial Services Agency has been contacted and has objected on grounds that Mr. Rafael missed a drug test on Sunday, February 5, 2006. There is no dispute that while on pretrial release: Mr. Rafael has never tested positive for drugs; this is the first time Mr. Rafael has missed a test since September 18, 2005 (at which point he called to explain his absence and reported the next day for

STIP RE: TRAVEL

- 1 -

1 testing and tested clean); and Mr. Rafael has not missed any additional tests since the February 5
2 test date. Taking into account all of these circumstances and Mr. Rafael's behavior while on
3 pretrial release, the government has no objection to the proposed travel.

4 Therefore, the parties hereby stipulate and agree that Mr. Rafael's terms and conditions of
5 pretrial release should be modified to permit him to travel to Lake Tahoe with his family, leaving
6 on March 5th and returning home on March 7th, 2006, provided Mr. Rafael give the Pretrial
7 Services Agency an itinerary that identifies where he will be staying and how he can be reached
8 SO STIPULATED.

9 Dated: 3/2, 2006

10 
11 MERRY JEAN CHAN
12 Assistant United States Attorney

13 SO STIPULATED.

14 Dated: March 2, 2006

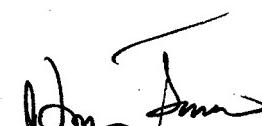
15 
16 HILARY A. FOX
17 Attorney for Defendant RAFAEL

18 ORDER

19 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the
20 ORDER of this Court that defendant Manuel Rafael, who is currently under pre-trial supervision
21 by the Pretrial Services Agency, be permitted to travel outside the Northern District of California
22 to Lake Tahoe, Nevada, from March 5, 2006, until March 7, 2006, for the purpose of traveling
23 with his family.

24 IT IS SO ORDERED.

25 Dated: March 3, 2006

26 
D. LOWELL JENSEN
United States District Court

STIP RE: TRAVEL

Other Documents**4:05-cr-00352-DLJ USA v. Rafael CASE CLOSED on 01/13/2006**

U.S. District Court
Northern District of California
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Case Name: USA v. Rafael
Case Number: 4:05-cr-352
Filer: Dft No. 1 - Manuel Joseph Rafael
Document Number: 62

Docket Text:

STIPULATION and [Proposed] Order to Permit Travel Out of District by Manuel Joseph Rafael (Fox, Hilary) (Filed on 3/3/2006)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: Q:\Rafael, Manuel Joseph 05086\Uploads\stip re travel3.pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=3/3/2006] [FileNumber=2450889-0] [a319f083798121ce6e1acfb859cd66ec4079953d8df1f9ba4767b54da687f7ecb96535199e095516aac3025c4542718379cc3db69240431991a2f2919b5b13fe]]

4:05-cr-352-1 Notice will be electronically mailed to:

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